

# Notice of Allowability

Application No.

10/663,374

Examiner

Maria Veronica D. Ewald

Applicant(s)

KNOEPFLER, KURT G.

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1722

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/17/06.
2. ☒ The allowed claim(s) is/are 3,4 and 7-13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James Ausley on August 23, 2006.

The application has been amended as follows: Claims 1 and 2, which were previously withdrawn, are now cancelled and should be indicated as such.

Claims 3 – 4, 7 – 13 are allowed. The following is an examiner's statement of reasons for allowance: In the reply filed July 17, 2006, Applicant has persuasively argued that the closest prior art references of Herbst (U.S. 6,471,505), Schilke (U.S. 4,544,519) and Cress (U.S. 4,121,402) fail to teach "at least two transfer units arranged offset in relation to one another and which take over removed injection molded parts from the arms of the removal device and at least two conveying paths which lie next to each other and are assigned to the transfer units, wherein the removal device is movable into a first transfer position, in which the injection-molded parts from one group of arms are deposited by a first transfer unit on a first conveying path and further movable into at least a second transfer position, and in which the injection-molded parts

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from a further group of arms are deposited by a second transfer unit on a second conveying path."

Herbst teaches a multi-daylight mold with more than two parting planes, a removal device comprising a number of arms corresponding to the number of parting planes of the multi-daylight mold and a common carrier on which the arms are arranged and which can be moved such that the arms move into and out of the more than two parting planes and a transfer unit which take over removed injection molded parts from the arms of the removal device. However, Herbst fails to teach the configuration by which the removal device and transfer unit are arranged with respect to each other. **Furthermore, Herbst fails to teach at least two transfer units arranged offset in relation to one another and at least two conveying paths which lie next to one another and are assigned to the transfer units, wherein the removal device is movable into a first transfer position, in which the injection-molded parts from one group of arms are deposited by a first transfer unit on a first conveying path and further movable into at least a second transfer position, and in which the injection-molded parts from a further group of arms are deposited by a second transfer unit on a second conveying path.**

With respect to the secondary reference of Schilke, Schilke teaches a molding apparatus for the production of footwear soles, comprised of transfer assemblies and at least two conveying paths; however, **the conveying paths are on opposite sides of the molding apparatus and do not lie next to one and are not assigned to the transfer units.** In addition, the apparatus of Schilke does not include a removal device

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**movable into a first transfer position, in which the injection-molded parts from one group of arms are deposited by a first transfer unit on a first conveying path and further movable into at least a second transfer position, and in which the injection-molded parts from a further group of arms are deposited by a second transfer unit on a second conveying path.**

With respect to the reference of Cress, Cress teaches the use of at least two transfer plates to which discs are deposited; however, **Cress does not teach the combination of a removal device with at least two transfer units arranged offset in relation to one another and which take over removed injection molded parts from the arms of the removal device and at least two conveying paths which lie next to one another.**

Thus, prior art fails to teach an injection-molding machine with more than two parting planes between a number of mold halves; a removal device comprising a number of arms corresponding to the number of parting planes of the multi-daylight mold and a common carrier on which the arms are arranged and which can be moved such that the arms move into and out of the more than two parting planes; at least two transfer units arranged offset in relation to one another and which take over removed injection molded parts from the arms of the removal device; at least two conveying paths which lie next to one another and are assigned to the transfer units, wherein the removal device is movable into a first transfer position, in which the injection-molded parts from one group of arms are deposited by a first transfer unit on a first conveying path and further movable into at least a second transfer position, and in which the

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injection-molded parts from a further group of arms are deposited by a second transfer unit on a second conveying path.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

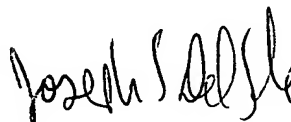
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maria Veronica D. Ewald whose telephone number is 571-272-8519. The examiner can normally be reached on M-F, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Yogendra Gupta can be reached on 571-272-1316. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MVE

  
JOSEPH S. DEL SOLE  
PRIMARY EXAMINER  
8/25/06